

AFFIDAVIT OF BENEFICIAL USE OF WATER

STATE OF UTAH

1. **WATER RIGHT NUMBER** _____ - _____ **PROOF DUE DATE** _____

2. **OWNERSHIP INFORMATION**

Name: _____

Mailing Address : _____ Telephone (1): _____

_____ Telephone (2): _____

3. **DOMESTIC USE**

The residence is (check one): ☐ A Primary Residence ☐ Part-time or Recreational

Street Address: _____

4. **PLAT MAP (MUST BE SUBMITTED WITH THIS DOCUMENT)**

Sub-division Name: _____ Lot Number: _____

Tax ID or Serial Number: _____

5. **CERTIFICATE OF OCCUPANCY (MUST BE SUBMITTED WITH THIS DOCUMENT)**

Issuing Municipality: _____ Date Issued: _____

6. **IRRIGATION USE**

Area of Irrigated Land: _____ square feet or _____ acre

7. **LIVESTOCK USE**

Number and Type of Animals: _____

AFFIDAVIT OF APPLICANT(S)

STATE OF _____ COUNTY OF _____ } SS

Having been duly sworn, I hereby declare that to the best of my knowledge all information provided herein is accurate and complete and free of fraud, misrepresentation, and omission of material fact. If the Proof Due Date is prior to the date this document is submitted, evidence is herein provided demonstrating the residence was constructed and occupied prior to the proof due date, and I hereby request reinstatement of the application as allowed under UCA 73-3-5.6(8) and an extension of time to submit this affidavit as proof. (Note: A request to reinstate a lapsed application and extend the time for submitting proof requires a statutory fee of \$50.)

Name _____

Applicant's Signature

Sworn to before me this _____ day of _____, 20 _____

Notary's Signature

Notary's Seal

Name _____

Applicant's Signature

Sworn to before me this _____ day of _____, 20 _____

Notary's Signature

Notary's Seal

INSTRUCTIONS FOR COMPLETING AFFIDAVIT OF BENEFICIAL USE OF WATER

The information you provide in this affidavit will establish the legal limits of your water right. Please take the time to carefully read these instructions. Each paragraph below corresponds to the item number on the affidavit form.

1. Your Water Right Number consists of a two-digit area code followed by a serial number. Example: 17-3256. The proof due date is the date by which your proof must be submitted. If this date has passed when you submit the affidavit your application has lapsed. In this case must request that your application be reinstated and the time for submitting proof extended. This requires a statutory fee of \$50. This is a special case and does not apply to most affidavits. If you are *not* requesting that a lapsed application be reinstated there is *no fee* for submitting an affidavit of beneficial use of water.
2. The Division of Water Rights records must show you as the owner in order for you to submit an affidavit on your water right. If you have recently acquired title to this water right, you may need to submit a Report of Conveyance to update our records. Also, please provide a current mailing address and phone number(s).
3. Check the box that shows whether the residence associated with this water right is used full- or part-time. Please provide the street address of this residence. Note that this item is specifically asking for the street address of the residence associated with this water right which may or may not be the same as your current mailing address shown in (2).
4. A plat map is a mandatory part of the proof affidavit for your water right. A copy of a plat map showing the property where this water right is located can be obtained from the Recorder's Office of the county where the property is located. If the well or spring providing water under this water right is located some distance from the property a second plat map showing this location may have to be provided. The subdivision name and lot number (if applicable) and the Tax ID or Serial Number of the parcel can usually be found on the plat map. If not, this information can be obtained from the County Recorder's Office. Using a permanent, dark-colored pen clearly distinguish the parcel on the plat map where the residence is located. Also, mark and label the approximate location of the well or spring. The plat map may need to be produced on an 11 by 17 inch piece of paper (or larger) in order to show sufficient detail.
5. Indicate the city, county, or other municipality that issued the Certificate of Occupancy and the date it was issued. A copy of a Certificate of Occupancy must be included as part of proof on your water right. It can usually be obtained from the municipality who issued it.
6. Indicate the irrigated area including lawn, garden, and irrigated landscaping features such as shrubs and trees. Note that this area is smaller than the total lot size because it does not include the footprint of the home, driveway, sidewalks, or other non-irrigated areas. Areas in square feet can be converted to acres by dividing by 43,560. Example: 10,890 square feet / 43,560 = 0.25 acre.
7. Indicate the number and type of livestock provided for by this water right. Stock watering use on the certificate we issue to you will be expressed in equivalent livestock units (elu). One cow or horse equals one elu. Five medium-sized animals such as sheep, goats, and pigs are considered to be equal to 1 elu. There are conversion factors for other animals, as well. Domestic animals such as dogs and cats are not considered to be livestock. Example: 2 horses, 4 cows, and 10 sheep. (This equates to 8 elu.)

This proof affidavit must be signed and notarized in order to be valid. There is room on the form for two owners to sign. If there are additional owners, an additional signature page must be attached. Each signature must be notarized separately. For additional information on how to complete the proof affidavit visit our website at <http://www.waterrights.utah.gov>.

MAP OF BENEFICIAL USE

Name of Applicant(s): _____
Water Right Number: _____
Tax ID or Serial Number of Parcel: _____

INSTRUCTIONS FOR COMPLETING THE MAP OF BENEFICIAL USE

- 1) You may use this form to create your map or you may use a blank sheet of paper that is at least 8 ½ inches by 11 inches in size.
- 2) If you use your own form make sure that the map is labeled “Map of Beneficial Use.” The map must include the applicant’s name, water right number, and the Tax ID or Serial Number of the parcel.
- 3) Draw the boundaries of the land parcel.
- 4) Label any adjacent roads and show a North Arrow on the map.
- 5) Draw and label the residence on this parcel that is associated with this water right.
- 6) Draw and label any area on the parcel where livestock under this water right are kept or grazed.
- 7) Draw any outbuildings, driveways, walkways, and other non-irrigated areas located on this parcel.
- 8) Draw all irrigated areas on this parcel receiving water under this water right. The interior and exterior boundaries of the irrigated area should be hatchured.
- 9) Draw and label the well or spring providing water under this water right. Show on the map the distance from the well or spring to two different property corners.
- 10) If the well or spring is not located on this parcel provide a separate map showing the parcel of land where the well or spring is located. The Tax ID or Serial Number of that parcel and the distance from two property corners to the well or spring must be shown on the map.

ADDITIONAL OWNER(S) SIGNATURE(S) FOR AFFIDAVIT OF BENEFICIAL USE

WATER RIGHT NUMBER _____ - _____

AFFIDAVIT OF APPLICANT(S)

STATE OF _____ COUNTY OF _____ }SS

Having been duly sworn, I hereby declare that the residence represented by this Affidavit of Beneficial Use is constructed and occupied and that to the best of my knowledge all information provided is accurate and complete and free of fraud, misrepresentation, and omission of material fact.

Name _____

Applicant's Signature

Sworn to before me this _____ day of _____, 20 _____

Notary's Signature

Notary's Seal

Name _____

Applicant's Signature

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